

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, FOURTH FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
(510) 665-8644

1 LAURENCE PARADIS (CA BAR NO. 122336)  
MICHAEL NUNEZ (CA BAR NO. 280535)  
2 Disability Rights Advocates  
2001 Center Street, Fourth Floor  
3 Berkeley, California 94704-1204  
Telephone: (510) 665-8644  
4 Facsimile: (510) 665-8511  
TTY: (510) 665-8716  
5 Email: lparadis@dralegal.org  
Email: mnunez@dralegal.org

6  
7 TIMOTHY ELDER (CA BAR NO. 277152)  
TRE Legal Practice  
4226 Castanos Street  
8 Fremont, CA 94536  
Telephone: (410) 415-3493  
9 Facsimile: (888) 718-0617

10 Attorneys for Plaintiffs

11  
12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14

15  
16 NATIONAL FEDERATION OF THE BLIND  
OF CALIFORNIA and MICHAEL  
17 HINGSON,

18 Plaintiffs,

19 v.

20 UBER TECHNOLOGIES, INC.,

21 Defendant.  
22  
23  
24  
25  
26  
27  
28

**Case No. 3:14-cv-4086 NC**

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO SET  
SCHEDULE FOR FILING OF  
PLAINTIFFS' FIRST AMENDED  
COMPLAINT AND DEFENDANT'S  
MOTION TO DISMISS PLAINTIFFS'  
FIRST AMENDED COMPLAINT**

Complaint Filed: September 9, 2014

Pursuant to Civil L. R. 6-2 and 7-12, the undersigned counsel, on behalf of their respective clients, hereby respectfully submit the following stipulation to set forth the schedule regarding the filing of Plaintiffs' First Amended Complaint, the filing of Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint, and the schedule for briefing Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint, in the above-captioned litigation.

Plaintiffs filed their Complaint in this action on September 9, 2014. Defendant filed its Motion to Dismiss Plaintiffs' Complaint (Dkt. No. 9) on October 22, 2014, within the extended deadline stipulated to by the parties.

Plaintiffs will file an Amended Complaint within 21 days after service of Defendant's Motion to Dismiss, as permitted by Federal Rule of Civil Procedure 15. The Parties have conferred and, to effectuate efficient litigation of this action, have agreed to a schedule for the filing of Plaintiffs' First Amended Complaint, Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint, and opposition and reply papers thereto.

Thus, the parties agree to and stipulate to the following:

1. Defendant withdraws its pending Motion to Dismiss (Dkt. No. 9) without prejudice as to any and all procedural and/or substantive challenges it may have as to Plaintiffs' First Amended Complaint, and the Court shall remove the Motion from the Court's calendar;

2. Plaintiffs shall file their First Amended Complaint on or before November 12, 2014;

3. Defendant shall file any motions to dismiss pursuant to Federal Rule of Civil Procedure 12(b) or other permitted procedural motion responding to Plaintiffs' First Amended Complaint within 21 days of the date on which Plaintiffs file their First Amended Complaint;

4. If Defendant files a motion to dismiss Plaintiffs' First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b), the parties shall comply with the motion briefing schedule set forth in Civil Local Rule 7-3; and

5. Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint shall be heard by the Court on or after February 4, 2014.

1 IT IS SO STIPULATED.

2  
3 Respectfully submitted,

4  
5  
6 Dated: November 3, 2014

LITTLER MENDELSON P.C.

7 By: \_\_\_\_\_/s/  
8 EMILY E. O'CONNOR  
9 Attorneys for Defendant  
UBER TECHNOLOGIES, INC.

10 Dated: November 3, 2014

DISABILITY RIGHTS ADVOCATES

11 By: \_\_\_\_\_/s/  
12 MICHAEL NUNEZ  
13 Attorneys for Plaintiffs  
14 NATIONAL FEDERATION OF THE BLIND OF  
CALIFORNIA and MICHAEL HINGSON

**FILER'S ATTESTATION**

15 Pursuant to Civil Local Rule 5-1(i)(3), I, Michael S. Nunez, attest that concurrence in the  
16 filing of this document has been obtained.

17  
18 \_\_\_\_\_/s/  
19 Michael S. Nunez

20  
21  
22  
23  
24  
25  
26  
27  
28  
DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, FOURTH FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
(510) 665-8644

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

2  
3  
4  
5 \_\_\_\_\_  
6 NATHANAEL COUSINS  
7 United States Magistrate Judge,  
8 Northern District of California  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, FOURTH FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
(510) 665-8644